

Atty. Dkt. No. 078743-2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Kendall

Title: DEVICES FOR SUSPENDING A
FOOT WITHIN A SHOE AND
SHOES INCORPORATING SUCH
DEVICES

Appl. No.: 10/634,267

Filing Date: 08/04/2003

Examiner:

Art Unit:

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.</p> <p><u>DIANE GARCIA</u> (Printed Name)</p> <p><u>Diane Garcia</u> (Signature)</p> <p><u>11-4-03</u> (Date of Deposit)</p>

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant submits herewith a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/667,192, filed 09/20/2000. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The relevance of the foreign-language documents is explained in the parent application.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of all forms be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 11-3-03

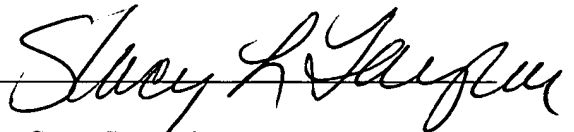
FOLEY & LARDNER

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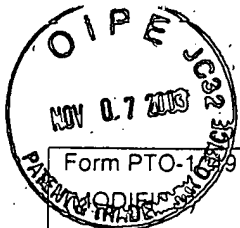
By



Stacy L. Taylor

Attorney for Applicant

Registration No. 34,842



Form PTO-136

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

078743/2001

SERIAL NO.

09/667,192

INFORMATION DISCLOSURE CITATION

APPLICANT

Michael Kendall

FILING DATE

09/20/2000

GROUP ART UNIT

3728

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	1.	3,834,046	09/10/1974	Fowler			
	2.	4,297,796	11/03/1981	Stirtz, et al.			
	3.	4,743,323	05/10/1988	Hettinga			
	4.	4,878,301	11/07/1989	Kiyosawa			
	5.	4,910,887	03/27/1990	Turner, et al.			
	6.	5,070,629	12/10/1991	Graham, et al.			
	7.	5,561,920	10/08/1996	Graham, et al.			
	8.	5,595,002	01/21/1997	Slepian, et al.			
	9.	5,680,714	10/28/1997	Lopez			
	10.	5,729,917	03/24/1998	Slepian, et al.			
	11.	5,852,886	12/29/1998	Slepian, et al.			
	12.	5,974,695	11/02/1999	Slepian, et al.			
	13.	5,987,780	11/23/1999	Lyden, et al.			
	14.	6,035,901	03/14/2000	Stumpf, et al.			

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	15.	1.068.538	3.02.1954	France				
	16.	1.098.621	9.03.1955	France			X	
	17.	2 243 530 A	06.11.1991	Great Britain				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.



Notice of References Cited

Application/Control No.

09/667,192

Applicant(s)/Patent Under

Reexamination
KENDALL, MICHAEL

Examiner

Marie Patterson

Art Unit

3728

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5390430	02-1995	Fitchmun et al	--
	B	US-4681114	07-1987	Lodispoto	--
	C	US-5592757	01-1997	Jackinsky	--
	D	US-4706316	11-1987	Tanzi	--
	E	US-4283864	08-1981	Lipfert	--
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.